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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,333	03/09/2004	H. Thomas Graef	D-1217 R1	1994

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RALPH E. JOCKE
walker & jocke LPA
231 SOUTH BROADWAY
MEDINA, OH 44256

EXAMINER	
NICHOLSON III, LESLIE AUGUST	
ART UNIT	PAPER NUMBER
3651	

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/796,333	GRAEF ET AL.	
	Examiner	Art Unit	
	Leslie A. Nicholson III	3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-12,14,16 and 25* is/are allowed.

6)☒ Claim(s) *13,17-24,26,27* is/are rejected.

7)☒ Claim(s) *15* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *3/9/2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments and Amendments

1. Due to amendment, objections to the specification are hereby withdrawn.

Rejections made under 35 USC 101 and 112 2nd paragraph are hereby withdrawn.

Regarding the Applicant's arguments of the drawing objections, the Examiner would like to make it known to the Applicant that the Examiner has earned multiple degrees in engineering from an accredited university and has been working in the field long enough to be considered "one skilled in the art". From viewing the figures in question for each drawing objection, the reference characters clearly point to the same object. The first and second objections made in the non-final action, dated 10/27/2005, to the drawings stands. Due to amendment, the third objection is hereby withdrawn.

The drawing objection pursuant to 37 CFR 1.83(a) is hereby withdrawn. Regarding the Applicant's arguments (P3/L3-8 of the remarks), the Examiner would like to point out 35 USC 113, which states "When the nature of such subject matter admits of illustration by a drawing and the applicant has not furnished such a drawing, the Commissioner may require its submission...". The Applicant has admitted such illustration, at least, which is evident from the initial filing of drawings.

Regarding the status of claims (P1 of remarks) The Examiner would like to note that claims 13-15 were never objected to, and invites the Applicant to carefully review P16-20 of the Action dated 10/27/2005, which clearly show rejections based on art.

Regarding Applicant's arguments of claim 13, Boucher is in the art of advancing sheets in a sheet dispenser, which is the same as that of the instant application. The arguments are not found to be persuasive.

Drawings

2. The drawings are objected to because of the following in formalities:

- Failing to comply with 37 CFR 1.84(p)(4) because reference characters "154" and "164" have both been used to designate the same part in figure 9.
- Failing to comply with 37 CFR 1.84(p)(4) because reference characters "94" and "80" have both been used to designate the same part in figure 10.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Modi USP 6,241,244 in view of Boucher USP 6,655,679.

Modi discloses a similar method comprising:

Rotating a picking member disk about an axis to engage a currency note at a transverse outer surface portion of the disk during picking of the currency note from a stack of currency notes in an automated teller machine having a currency note dispenser. Modi does not expressly disclose the note simultaneously engaged with both a low friction segment positioned axially adjacent to the high friction segment and wherein the low friction segment extends outward further than the high friction segment in a direction radial to the axis and rotating the picking member disk to disengage the currency note from the outer surface portion.

Boucher teaches the note simultaneously engaged with both a low friction segment (36) positioned axially adjacent to the high friction segment (32) and wherein the low friction segment extends outward further than the high friction segment in a

direction radial to the axis and rotating the picking member disk to disengage the currency note from the outer surface portion (fig.6 shows both the high friction and low friction segments simultaneously engaging the note) for the purpose of allowing the linefeed roller (72) to further convey the note with minimal resistance from the picking member (C7/L55-58).

At the time of invention it would have been obvious to one having ordinary skill in the art to have the note simultaneously engaged with both a low friction segment positioned axially adjacent to the high friction segment and wherein the low friction segment extends outward further than the high friction segment in a direction radial to the axis and rotating the picking member disk to disengage the currency note from the outer surface portion, as taught by Boucher, in the method of Modi, for the purpose of allowing the linefeed roller to further convey the note with minimal resistance from the picking member.

5. Claims 17-24,26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher USP 6,655,679 in view of Graef USP 4,494,747.

Boucher discloses a similar method comprising engaging an end sheet bounding the stack of sheets with a high friction picker surface rotatable about an axis, wherein the high friction picker surface engages a first side of the end sheet, and engaging the end sheet with a projecting surface that is axially adjacent to the high friction picker surface relative to the axis, radially adjacent to the high friction picker surface in a radial direction from the axis, and radially outward of the high friction picker surface in the

radial direction (see ¶3), but does not expressly disclose in an automated banking machine, moving the high friction picker surface to urge the end sheet to move along a first direction while in engagement with a stripping surface, wherein the stripping surface acts on a leading edge area of the end sheet in a stripping area, acts on a second side of the end sheet opposed of the first side, resists movement of the end sheet from the stack, and generally prevents sheets other than the end sheet from moving from the stack and between the high friction picker surface and the stripping surface; wherein in the projecting surface engages the end sheet as the leading edge area moves intermediate of the picker surface and the stripping surface, wherein deformation of the end sheet along the first direction by the stripping surface is minimized by engagement of the sheet with the projecting surface.

Graef teaches, in an automated banking machine, moving the high friction picker (42) surface to urge the end sheet to move along a first direction while in engagement with a stripping surface (45), wherein the stripping surface acts on a leading edge area of the end sheet in a stripping area, acts on a second side of the end sheet opposed of the first side, resists movement of the end sheet from the stack, and generally prevents sheets other than the end sheet from moving from the stack and between the high friction picker surface and the stripping surface; wherein the projecting surface engages the end sheet as the leading edge area moves intermediate of the picker surface and the stripping surface, wherein deformation of the end sheet along the first direction by the stripping surface is minimized by engagement of the sheet with the projecting surface for the purpose of returning detected doubles to the stack (C3/67-68, C4/L1-18).

At the time of invention it would have been obvious to one having ordinary skill in the art to employing the step of, in an automated banking machine, moving the high friction picker surface to urge the end sheet to move along a first direction while in engagement with a stripping surface, wherein the stripping surface acts on a leading edge area of the end sheet in a stripping area, acts on a second side of the end sheet opposed of the first side, resists movement of the end sheet from the stack, and generally prevents sheets other than the end sheet from moving from the stack and between the high friction picker surface and the stripping surface; wherein the projecting surface engages the end sheet as the leading edge area moves intermediate of the picker surface and the stripping surface, wherein deformation of the end sheet along the first direction by the stripping surface is minimized by engagement of the sheet with the projecting surface, as taught by Graef, in the method of Boucher, for the purpose of returning detected doubles to the stack.

Boucher further discloses:

- wherein the picking surface comprises a high friction arcuate segment (32) supported on a rotating cylindrical portion, and wherein in (b) the rotating cylindrical portion rotates in a first rotational direction
- wherein the picker surface comprises a surface of a high friction arcuate segment supported on a rotatable first cylindrical portion, and wherein the projecting portion comprises a low friction arcuate segment (36) supported on the first cylindrical portion transversely disposed of the high friction arcuate

segment, wherein in (b) and in (c) the cylindrical portion rotates in a first direction.

- during at least a portion of (b) and subsequent to (c) further comprising: (d) disengaging the end sheet from the projecting surface (fig.6)

- a picker member wherein the picker member comprises the first cylindrical portion, and wherein the picker member includes at least one outboard high friction arcuate portion transversely disposed from the high friction arcuate segment, and further comprising: (e) during at least a portion of (d) engaging the end sheet with the at least one outboard high friction arcuate portion, wherein such engagement urges the end sheet to move in the first direction (at least fig.2,3,6)

- wherein the picker member comprises a pair of outboard cylindrical portions transversely disposed from the first cylindrical portion, and wherein each of the outboard cylindrical portions includes one of the outboard high friction arcuate portions, and wherein in (e) the end note is engaged with the outboard high friction arcuate portions on the outboard cylindrical portions (at least fig.2,3,6)

- subsequent to (e) further comprising: (f) engaging the end sheet with a carry away roll (72), wherein the carry away roll urges the end sheet to move away from the stack (fig.6)

- wherein the first cylindrical portion includes a resilient band extending circumferentially thereon, and wherein the resilient band includes the high friction arcuate segment engages by the end note in (a) (see figures)

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher USP 6,655,679 in view of Graef USP 4,494,747 further in view of Graef USPub 2001/0042292.

Boucher discloses all the limitations of the claim, but does not expressly disclose prior to (b), receiving at least one input from a user corresponding to a request for cash through at least one input device of the automated banking machine, and subsequent to (f) delivering the end sheet to the user.

Graef teaches prior to (b), receiving at least one input from a user corresponding to a request for cash through at least one input device of the automated banking machine, and subsequent to (f) delivering the end sheet to the user for the purpose of receiving information that identifies a customer and/or their account to make record of transactions (at least ¶0003,0043).

At the time of invention it would have been obvious to one having ordinary skill in the art to: prior to (b), receive at least one input from a user corresponding to a request for cash through at least one input device of the automated banking machine, and subsequent to (f) delivering the end sheet to the user, as taught by Graef, in the method of Boucher, for the purpose of receiving information that identifies a customer and/or their account to make record of transactions.

Allowable Subject Matter

7. Claims 1-12,14,16, and 25 are allowed.

Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie A. Nicholson III whose telephone number is 571-272-5487. The examiner can normally be reached on M-F, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

L.N.
3/21/2006

GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER